IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14915 of 2006

DATED: 15.9.2006

Between:

K. Satyanarayana and others **petitioners**

And

The District Collector, West Godavari
At Eluru **Respondent**

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 14915 OF 2006

ORAL ORDER:

This writ petition is filed assailing the draft notification under section 4 (1) of the Land Acquisition Act, 1894 dated 30.6.2006 dispensing with section 5-A enquiry.

Learned Government Pleader for Land Acquisition states that the respondents have issued a notice, proposing to conduct an enquiry under section 5-A of the Act and would call upon the petitioner and other persons whose lands were to be acquired, to lodge their objections, if they are so desirous. It is also asserted by the learned Government Pleader, on instructions from the respondent, that the respondent- District Collector would ensure that due enquiry under Section 5-A would be conducted and objections, if any filed by the land owners would be considered and disposed of and a decision pursuant to the Section 5-A enquiry will be communicated to the persons who lodge their objections. It is also stated on behalf of the respondents that section 6 declaration has not yet been issued.

In the aforesaid circumstances, the writ petition is disposed of. The petitioner may lodge his objections, in response to the notice dated 26.7.2006 issued, for conducting an enquiry under section 5 of the Act, within 10 days from the date of receipt of a copy of this order. On receipt of such objections, the appropriate authority/District

Collector shall on being forwarded the recommendations by the Acquisition Officer, consider the objections lodged by the petitioner and pass orders and communicate the same to the petitioners, before taking up further proceedings for acquisition of the lands. The petitioner shall not be dispossessed till he is communicated the decision of the respondent under Section 5 –A (2) of the Act. No costs.

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GODA RAGHURAM, J

DATE: 15.9.2006

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